

United States Senate

September 24, 2019

Daniel Bible
Field Office Director
U.S. Immigration and Customs Enforcement
San Antonio Field Office
1777 NE Loop 410, Suite 1500
San Antonio, TX, 78217

Dear Director Bible:

I write in response to a recent statement by U.S. Immigration and Customs Enforcement (ICE) indicating that ICE will utilize the Karnes County Residential Center to detain families.¹ Reports indicate that ICE will transfer the adult women currently detained there to other facilities. In light of the lengthy history of insufficient care at Karnes, I write to request that you exercise your discretion to consider each woman currently detained at Karnes for release from detention rather than transferring them to other facilities. I also write to urge you to reconsider using a facility so recently reported to have substandard conditions to house families and children.

Reports have consistently surfaced regarding Karnes' substandard conditions for its detainee population. In 2015, women detained at Karnes participated in hunger strikes to, among other things, protest the lack of sufficient food and water at the facility² and highlight the adverse impact of detention at Karnes on their children's health.³ Medical professionals that have toured U.S. government facilities reported that spring-loaded heavy steel doors at Karnes designed for adult prisons caused dozens of serious finger injuries to children.⁴ Moreover, Karnes reportedly failed to hire a pediatrician during its early years.⁵ A man at Karnes who had been detained with his son for more than one month reported that his son intermittently refused to eat, could not sleep, and suffered from anxiety.⁶ Over the years, Karnes has consistently faced allegations that it provides insufficient care to the most vulnerable individuals detained there.

¹ Maria Sacchetti, Washington Post, "ICE to resume detaining migrant families at Texas facility" (Sept. 21, 2019), available at https://www.washingtonpost.com/politics/ice-to-resume-detaining-migrant-families-at-texas-facility/2019/09/21/0b3207e8-dcb5-11e9-bfb1-849887369476_story.html.

² Alvaro Ortiz, Houston Chronicle, "Hunger strike by undocumented women at Texas detention facility" (Apr. 14, 2015), available at <https://www.chron.com/news/houston-texas/article/Hunger-strike-by-undocumented-women-at-Texas-6199510.php>.

³ Democracy Now, "Dozens of Immigrant Women Stage Hunger Strike at Texas Facility" (Apr. 2, 2015), available at https://www.democracynow.org/2015/4/2/headlines/dozens_of_immigrant_women_stage_hunger_strike_at_texas_facility.

⁴ Letter to Chairman Grassley and Vice Chairman Wyden (Senate Whistleblowing Caucus) from Scott Allen, MD and Pamela McPherson, MD (July 17, 2018), available at <https://www.wyden.senate.gov/imo/media/doc/Doctors%20Congressional%20Disclosure%20SWC.pdf> [Physician Letter].

⁵ Physician Letter.

⁶ Human Rights First, "Family Incarceration Continues to Endanger Children, Impede Access to Legal Information & Waste Government Resources" (Mar. 2019), available at https://www.humanrightsfirst.org/sites/default/files/Short_Detention_Report_March_2019.pdf.

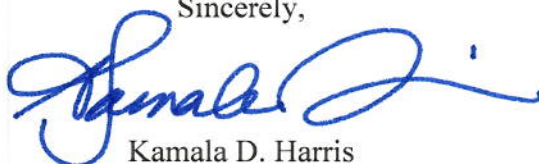
Recent reports confirm that Karnes continues to provide insufficient care to its detainees. One woman has reported that despite her cancer and history of high blood pressure, she has not been taken to a hospital since arriving at Karnes on or around July 23, 2019. She was recently informed that there is no more blood pressure medication available to her and she has not been examined or treated for cancer.⁷ Another woman with a history of emergency surgery in the wake of reported sexual abuse arrived at Karnes in June and has reported extreme pelvic pain.⁸ However, despite consistent muscle and nerve pain, while she has received what she believes to be pain medication, the pain persists, and has worsened due to the cold temperatures and stress she has experienced.

Last week, advocates received reports that multiple detainees at Karnes have attempted suicide.

The conditions reported at Karnes are inhumane, immoral, and inconsistent with our values. The Department of Homeland Security (DHS) and ICE should fully investigate them and take adequate corrective action. In the meantime, it is unacceptable for ICE to be detaining these families—including children—in the same facility on the heels of such reports. ICE should halt detention at Karnes rather than risk exposing vulnerable children and families to substandard conditions. As medical professionals have reported to Congress, “there is no amount of programming that can ameliorate the harms created by the very act of confining children to detention centers. Detention of innocent children should never occur in a civilized society, especially if there are less restrictive options, because the risk of harm to children simply cannot be justified.”⁹ Indeed, because family detention carries serious risks to the health of children, it has been condemned by the American Medical Association, American College of Physicians, American Academy of Pediatrics, and DHS’ Advisory Committee on Family Residential Centers.¹⁰

ICE possesses broad discretion to detain or release individuals depending on the procedural postures of their individual cases.¹¹ In light of the history of inadequate conditions endured by detainees at Karnes—including, most recently, the women currently detained there—I urge you to exercise your discretion to the maximum extent practicable to release women currently detained at Karnes rather than transferring them to other detention facilities. In addition, I urge you to decline to subject families and children to the same substandard conditions reported by the current detainee population. It is our responsibility to treat individuals in our care with dignity, humanity, and respect. Failure to do so falls woefully short of our country’s values and responsibilities.

Sincerely,



Kamala D. Harris
United States Senator

⁷ Declaration of [REDACTED] (Sept. 13, 2019), *available at* <https://twitter.com/ErikaAndiola/status/1176170320115437568>.

⁸ RAICESTEXAS, Twitter, *available at* <https://twitter.com/RAICESTEXAS/status/1175966834551599106>.

⁹ Physician Letter.

¹⁰ Physician Letter.

¹¹ INA § 236(a) (describing DHS’s discretion to detain or release individuals arrested in the interior of the United States); 8 CFR § 235.3(c) (permitting DHS to parole arriving aliens placed in removal proceedings); 8 CFR § 235.3(b)(2)(iii) (permitting DHS to parole individuals placed into the expedited removal process).